

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45042 of 2015

Arising Out of PS.Case No. -196 Year- 2015 Thana -WARSALIGANJ District- NAWADA

Mukesh Kumar Son of Shri Rambalk Singh R/o village - Makanpur, P.S.
Warsaliganj, District - Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary, Advocate.
For the Opposite Party : Mr. Nityanand Tiwary, APP.
For the Informant : Mr. Shambhu Sharn Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2015 Heard the counsel for the petitioner, informant and
counsel for the State.

The petitioner is languishing in jail since 13.07.2015 in
a case instituted under Sections 324 and 307 of the Indian Penal
Code and Section 27 of the Arms Act in connection with
Warsaliganj P.S.Case No.196 of 2015 pending in the Court of Shri
S.C.Kumar, Judicial Magistrate, Ist Class, Nawada.

As per prosecution case, it is a case of firing upon the
informant by the petitioner.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 13.07.2015. Chargesheet has
been submitted in the case. Petitioner has got no criminal
antecedent. Petitioner has falsely been implicated in the present

case. There is no allegation of tampering of evidence against the petitioner. There is no recovery of any arms from the possession of the petitioner. At best, it is an allegation of single fire shot made against the petitioner.

On behalf of the State and counsel for the informant, it has been submitted that the petitioner is named in the FIR and there is specific allegation made against the petitioner of firing upon the victim.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the above named petitioner, same is rejected for the present.

(Sudhir Singh, J)

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